

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the claim amendments and following remarks.

Status of Claims

Claims 1, 4, 6-21, 23-35, 40, 41 and 43-45 are currently pending in the application of which claims 1, 20 and 40 are independent. Claims 1, 4, 6-21, 23-35, 40, 41 and 43-45 were rejected.

Summary of the Office Action

Claims 1, 4, 6-10, 12, 13, 15-21, 23-27, 29-32, 34, 40, 41, 43, and 44 were rejected 35 U.S.C. §102(b), as being anticipated by Raman (5,579,223)

Claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable Raman (5,579,223) as applied to claim 9 above and further in view of applicant disclosed prior art (ADPA).

Claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable Raman (5,579,223) as applied to claim 1 above and further in view of Melahn et al. (2003/0145306).

Claims 28, 33, 35 and 45 35 U.S.C. §103(a) as being unpatentable Raman (5,579,223) as applied to claims 20 and 31 above.

Claim Rejection Under 35 U.S.C. §102

The test for determining if a reference anticipates a claim, for purposes of a rejection under 35 U.S.C. § 102, is whether the reference discloses all the elements of the claimed

combination, or the mechanical equivalents thereof functioning in substantially the same way to produce substantially the same results. As noted by the Court of Appeals for the Federal Circuit in *Lindemann Maschinenfabrick GmbH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984), in evaluating the sufficiency of an anticipation rejection under 35 U.S.C. § 102, the Court stated:

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.

Therefore, if the cited reference does not disclose each and every element of the claimed invention, then the cited reference fails to anticipate the claimed invention and, thus, the claimed invention is distinguishable over the cited reference.

Claims 1, 4, 6-10, 12, 13, 15-21, 23-27, 29-32, 34, 40, 41, 43, and 44 were rejected 35 U.S.C. §102(b), as being anticipated by Raman (5,579,223)

- Claim 1, 4, 6-10, 12, 13, 15-21, 23-27, 29-32, 34, 40, 41, 43, and 44

As amended, independent claim 1 recites,

a relation identifier identifying a relationship between the first object and the second object, wherein the data model includes a tuple in a format and order comprising the first object identifier, the relation identifier, the second object identifier.

Raman fails to teach the claimed tuple. Raman discloses a merge utility for merging two files. See column 2, lines 25-35. The merge is performed to provide continuity for text and graphics in multiple languages, such as English and Spanish, that are generated by computer programs provided in two files. See column 3, lines 30-37 and FIGS. 1A-B. If an original file computer program, *e.g.*, English version, is modified, then the merge utility

identifies the changes, and the changes are made to a second file, *e.g.*, Spanish version. See column 3, line 49-column 4, line 6.

The rejection asserts the claimed first object identifier is the first natural language version of a computer program described in claim 1 of Raman, and the claimed second object identifier is the translated version of the computer program which outputs text in a second natural language and is also described in claim 1 of Raman.

The first and second natural language versions of the computer program are files and not identifiers of the files. Furthermore, even if the first and second natural language versions had file names, Raman does not disclose a data model including a tuple in a format and order comprising the first object identifier, the relation identifier, and the second object identifier.

Independent claim 20 recites storing a tuple including relation meta data, a first object identifier and a second object identifier. As indicated above, Raman fails to teach such a tuple. Even if the first and second natural language versions of Raman had file names, Raman does not disclose the file names are stored in the claimed tuple. Additionally, the relation meta data is claimed to specify a predetermined condition associated with the first object. Raman does not disclose a tuple including the predetermine condition.

Also, claim 20 recites, "identifying from the stored tuple the predetermined condition associated with the first object in response to the first object being accessed." It follows that if Raman fails to teach the claimed tuple, Raman also fails to teach identifying a precondition from the claimed tuple. Furthermore, Raman fails to teach identifying a precondition in response to the text file in Raman being accessed.

The rejection appears to assert that the claimed objects are the visual objects described in column 5, lines 25-35. These visual objects are objects in each computer program that describe graphics or text generated by the program. Claim 20 recites, "at least one of the first and second objects is a file stored in the file system." The objects referred to in the rejection are not files in a file system, but instead are objects in each computer program that describe graphics or text generated by the program.

Independent claim 40 recites features similar to claim 20 describes above, which are not taught by Raman.

Many of the features of the dependent claims are also not taught by Raman. Claim 6 recites, "the relation identifier comprises a property of the first object and the second object comprises a value of the property for the first object." The rejection indicates the translated version of Raman is the relation identifier. However, there is no property and value in a relation identifier in Raman. Instead, there is merely text in two different languages.

Dependent claims 13, 24, and 43 describe generating file space views. Raman discloses nothing with respect to generating a view of a file space. Claims 18, 19, 25, 26 and 32 describe multiple types of relation identifiers in a schema. No such schema is disclosed in Raman.

For at least these reasons, claims 1, 4, 6-10, 12, 13, 15-21, 23-27, 29-32, 34, 40, 41, 43, and 44 are believed to be allowable.

Claim Rejections Under 35 U.S.C. §103(a)

The test for determining if a claim is rendered obvious by one or more references for purposes of a rejection under 35 U.S.C. § 103 is set forth in *KSR International Co. v. Teleflex Inc.*, 550 U.S.398, 82 USPQ2d 1385 (2007):

“Under §103, the scope and content of the prior art are to be determined; differences between the prior art and the claims at issue are to be ascertained; and the level of ordinary skill in the pertinent art resolved. Against this background the obviousness or nonobviousness of the subject matter is determined. Such secondary considerations as commercial success, long felt but unsolved needs, failure of others, etc., might be utilized to give light to the circumstances surrounding the origin of the subject matter sought to be patented.” Quoting *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1 (1966).

As set forth in MPEP 2143.03, to ascertain the differences between the prior art and the claims at issue, “[a]ll claim limitations must be considered” because “all words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385. According to the Examination Guidelines for Determining Obviousness Under 35 U.S.C. 103 in view of *KSR International Co. v. Teleflex Inc.*, Federal Register, Vol. 72, No. 195, 57526, 57529 (October 10, 2007), once the *Graham* factual inquiries are resolved, there must be a determination of whether the claimed invention would have been obvious to one of ordinary skill in the art based on any one of the following proper rationales:

(A) Combining prior art elements according to known methods to yield predictable results; (B) Simple substitution of one known element for another to obtain predictable results; (C) Use of known technique to improve similar devices (methods, or products) in the same way; (D) Applying a known technique to a known device (method, or product) ready for improvement to yield predictable results; (E) “Obvious to try”—choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success; (F) Known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations would have been predictable to one of ordinary skill in the art; (G) Some teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to modify the prior art reference or

to combine prior art reference teachings to arrive at the claimed invention. *KSR International Co. v. Teleflex Inc.*, 550 U.S. ___, 82 USPQ2d 1385 (2007).

Furthermore, as set forth in *KSR International Co. v. Teleflex Inc.*, quoting from *In re Kahn*, 441 F.3d 977, 988 (CA Fed. 2006), “[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasonings with some rational underpinning to support the legal conclusion of obviousness.”

Therefore, if the above-identified criteria and rationales are not met, then the cited reference(s) fails to render obvious the claimed invention and, thus, the claimed invention is distinguishable over the cited reference(s).

- **Claim 11**

Claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable Raman (5,579,223) as applied to claim 9 above and further in view of applicant disclosed prior art (ADPA). Claim 11 is believed to be allowable at least for the reasons claim 1 is believed to be allowable.

- **Claim 14**

Claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable Raman (5,579,223) as applied to claim 1 above and further in view of Melahn et al. (2003/0145306). Claim 14 is believed to be allowable at least for the reasons claim 1 is believed to be allowable.

- **Claims 28, 33, 35 and 45**

Claims 28, 33, 35 and 45 were rejected under 35 U.S.C. §103(a) as being unpatentable Raman (5,579,223) as applied to claims 20 and 31 above.

The Official Notice taken for claims 28, 33, 35 and 45 is traversed. The rejection of claim 28 asserts access control is well known. However, claim 28 recites relation meta data in the claimed tuple including the restriction. It is not well known to include the restriction in the claimed tuple.

Regarding claim 33, it is not well known to include a precision variable related to relevance of search results in a computer program comparison system as disclosed in Raman. Furthermore, in Raman, the visual objects in each natural language text file are compared, but there is no search performed and no results generated from a search that are based on relevance.

Claim 35 recites archiving based on the semantic information. Archiving may be known, however, archiving based on the semantic information is not well known. Claim 45 recites similar features to claim 35.

For at least these reasons, dependent claims 28, 33, 35 and 45 are believed to be allowable.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited. Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to Deposit Account No. 08-2025.

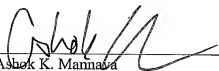
PATENT

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Respectfully submitted,

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